

BOIES, SCHILLER & FLEXNER LLP

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January 9, 2014

BY HAND & ECF (w/o Enclosures)

Hon. Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

In Re American Express Anti-Steering Rules Litig. (II)
11-MD-02221-NGG-RER

(This Document Relates to Docket Nos. 08-CV-2315; 08-CV-2316; 08-CV-2317;
08-CV-2380; 08-CV-2406; 11-CV-0337; 11-CV-0338)

Dear Judge Garaufis:

We represent the American Express Defendants in the above-referenced actions. Pursuant to the Court's September 13, 2013 Order (D.E. 273), enclosed please find two courtesy copies of the following documents:

- Defendants' Reply Memorandum of Law in Further Support of Defendants' Motion for Summary Judgment Against the Individual Plaintiffs, dated January 9, 2014;
- Defendants' Reply to the Individual Plaintiffs' Rule 56.1 Counter-Statement of Facts, dated January 9, 2014;
- Reply Declaration of Eric Brenner in Further Support of Defendants' Motion for Summary Judgment Against the Individual Plaintiffs, dated January 9, 2014, and attached exhibits.

These documents were filed today under seal on the ECF system. American Express's opening papers were filed on September 26, 2013 and the Plaintiffs' opposition papers were filed on November 21, 2013.

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American Express respectfully requests oral argument on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald L. Flexner". The signature is written in a cursive, flowing style.

Donald L. Flexner

Enclosures

cc: All Plaintiffs' Counsel (by ECF) (w/o enclosures)